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Attorneys for Defendant
Mr. Kinney

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 2:23cr318-TLN
)
Plaintiff,) STIPULATION AND [PROPOSED] ORDER TO
) MODIFY CONDITIONS OF RELEASE
vs.)
) Judge: Hon. Jeremy D. Peterson
JOSEPH PAUL HERRERA)
KINNEY,)
)
<u>Defendant.</u>)

IT IS HEREBY STIPULATED and agreed by and between United States Attorney Phillip A. Talbert, through Assistant United States Attorney Justin Lee, counsel for Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hootan Baigmohammadi, counsel for Defendant Joseph Paul Herrera Kinney, that the amended special conditions of bond be modified.

The parties specifically stipulate as follows:

- Mr. Kinney is on pretrial release and his second amended special conditions of release restrict him to curfew hours from 10:00 p.m. to 6:00 a.m. ECF no. 44 at ¶ 16. The curfew can be adjusted by the pretrial services officer for medical, religious services, employment, or court-ordered obligations. *Id.*

2. Mr. Kinney is in school, and his current classes do not end until roughly 9:30 p.m. There is concern that he will not be able to finish class and make it back home in time for his 10:00 p.m. curfew.

3. Mr. Kinney moves for special condition #16 to be amended as follows to add an exception for education:

CURFEW: You must remain inside your residence every day from 10:00pm to 6:00am, or as adjusted by the pretrial services officer for medical, religious services, employment, education or court-ordered obligations.

4. All other conditions shall remain as previously imposed.

5. The government and pretrial services do not object to Mr. Kinney's request.

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: August 28, 2024

/s/ Hootan Baigmohammadi
HOOTAN BAIGMOHAMMADI
Assistant Federal Defender
Attorneys for Defendant
Mr. Kinney

Date: August 28, 2024

PHILLIP A. TALBERT
United States Attorney

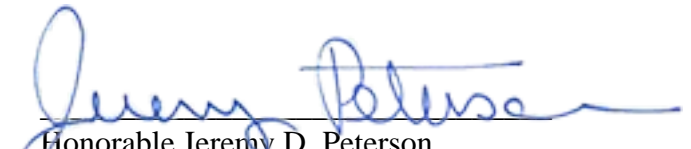
/s/ Justin Lee
JUSTIN LEE
Assistant United States Attorney
Attorneys for Plaintiff

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: August 28, 2024


Honorable Jeremy D. Peterson
United States Magistrate Judge